HIGH COURT OF CHHATTISGARH, BILASPUR

Writ Petition(S) No.5209/2007

Petitioners Arjun Singh Kanwar, s/o Shri Sukalu Ram Kanwar, aged about 34 years, post Assistant Teacher, R/o village Birkona, Tahsil Kawardha, District Kabirdham (C.G)

Versus

RESPONDENTS

1. State of Chhattisgarh, through the Secretary, Education Department, D.K.S. Bhawan, Shastri Chowk, Raipur, District, Raipur (C.G)
2. District Education officer, Kabirdham, Distt. Kabirdham (C.G)
3. Block Education officer, Block Kawardha, Distt. Kabirdham (C.G)

Writ petition under Article 226 of the Constitution of India

Appearance:

Shri Rajesh Kumar Sharma, counsel for the Petitioner.

Shri A.S. Kachhawaha, Govt. Advocate, for the State/ respondents on advance copy

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ORAL ORDER
(11.9.2007)

Sunil Kumar Sinha, J.

Learned counsel appearing for the petitioner as also for the State/respondents jointly submit that the facts and question of law involved in the present writ petition are squarely covered by the decision of this Court in case of ***Yashwant Kumar Bharadwaj -vs- Municipal Corporation, Durg and another reported in 2006 (II) MPJR CG 96.***

In subsequent cases, i.e., Writ petition (S) No.5862 of 2006 (Hemant Kumar Vishwakarma Vs. State of Chhattisgarh and others) and other connected matter, decided by this Court on 12.12.2006, pursuant to the memo dated 28.1.1995, issued by the Secretary, Board of Secondary Education, Bhopal and the prospectus of Diploma in Education Examination, it was clarified that the nomenclature of the Basic Training Institute i.e., B.T.I., has been changed and renamed as Diploma in

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Education i.e., D.Ed. Accordingly, the D.Ed., certificate holders are also covered by the decision in W.P.(S) No.5862/2006 *(Hemant Kumar Vishwakarma –vs- State of C.G & others (supra).*

For the aforementioned reasons, the writ petition is disposed of in terms of the decision of this Court in the matter of *Yashwant Kumar Bhardwaj (supra)*, subject to verification of the fact as to whether the petitioner has acquired D.Ed.,/B.Ed., Certificate at his own expenses as per the circular dated 24.12.1998 & 01.3.1999 and further whether he has been paid advance increments or not.

No order as to costs.

Sd/-
Sunil Kumar Sinha
Judge

/Rao/